



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

86 Chambers Street
New York, New York 10007

September 29, 2023

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VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *National Organization for Women-New York City v.*
U.S. Department of Defense, et al., 23 Civ. 6750 (VEC)

Dear Judge Caproni:

This Office and the Department of Justice's Civil Division represent defendants U.S. Department of Defense ("DoD") and U.S. Department of Veterans Affairs ("VA") (together, the "Government") in the above-referenced action commenced by plaintiff National Organization for Women-New York City ("Plaintiff"), which challenges certain DoD and VA policies relating to the provision of in vitro fertilization services to active service members and veterans. We write respectfully to request: (1) an 80-day extension of the Government's October 10, 2023 deadline to file an answer or otherwise respond to the complaint; (2) an 85-day extension of the parties' October 12, 2023 deadline to submit a joint pre-initial conference letter, *see* Dkt. No. 9; and (3) an adjournment of the initial conference scheduled for October 20, 2023, at 10:00 a.m., *id.*, as set forth below:

	Current Deadline/Date	Proposed Deadline/Date
Government's Answer	October 10, 2023	January 8, 2024
Joint Pre-Initial Conference Letter	October 12, 2023	January 11, 2024
Initial Conference	October 20, 2023, at 10:00 a.m.	January 19, 2024, or another date and time convenient for the Court and the parties

These extensions and the adjournment are requested to allow DoD and VA additional time to review the policies that are the subject of this lawsuit. This is the Government's first request for extensions of time to respond to the complaint and to file a joint pre-initial conference letter, and for an adjournment of the initial pre-trial conference. Plaintiff consents to this request.

We thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Tomoko Onozawa
TOMOKO ONOZAWA
Assistant United States Attorney
Telephone: (212) 637-2721
Facsimile: (212) 637-2717
E-mail: tomoko.onozawa@usdoj.gov

cc: All Counsel of Record (via ECF)

Application GRANTED. The Government's deadline to answer the complaint is extended from Tuesday, October 10, 2023, to **Monday, January 8, 2024**. The parties' deadline to submit a joint pre-conference letter and accompanying proposed case management plan is extended from Thursday, October 12, 2023, to **Thursday, January 11, 2024**. The Initial Pretrial Conference is adjourned from Friday, October 20, 2023, at 10:00 A.M. to **Friday, January 19, 2024 at 10:00 A.M.**

SO ORDERED.



9/29/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE